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Practitioner's Docket No. MPI98-047CP2DV2M

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|--|------------|----------------------|
| In re application of: | Glucksmann, Maria A., et al. | | |
| Application No.: | 10/075,987 | Group No.: | 1646 |
| Filed: | February 13, 2002 | Examiner: | Brannock, Michael T. |
| For: | 14273 RECEPTOR, A NOVEL G-PROTEIN COUPLED RECEPTOR | | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Confirmation No. 9969

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT TRANSMITTAL

1. Transmitted herewith for this application is/are:
 - a. This Transmittal (2 pages);
 - b. Response to Notice of Non-Compliant Amendment (37 CFR 1.121) (29 pages);
 - c. Copy of Notice of Non-Compliant Amendment (2 pages);
 - d. Statement of Limited Recognition under 37CFR §11.9(b) for Mario Cloutier (1 page); and
 - e. Return Postcard.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee" Mailing Label No.

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office (703-872-9306).

Signature

Sean Hunziker

(type or print name of person certifying)

Date: May 18, 2005

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

PETITION FOR EXTENSION OF TIME

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes no extension of time is necessary. However, if an extension of time is required, please consider this a petition for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 11.17(a)(1)-(3)).

Fee: \$ 0.00
 Extension fee due with this request \$ 0.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | | (Col. 3) | | OTHER THAN A SMALL ENTITY |
|--|--|-------|---------------------------------------|---|---------------|---------------------|------------------------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | | Present Extra | Rate | Addit. Fee |
| Total | 20 | Minus | 38 | = | 0 | \$50.00 | \$0.00 |
| Indep. | 4 | Minus | 4 | = | 0 | \$200.00 | \$0.00 |
| First Presentation of Multiple Dependent Claims | yes | | yes | | | \$300.00 | \$0.00 |
| | | | | | | Total Addit. Fee | \$0.00 |
| Total additional fee for claims required | | | | | | \$0.00 | |

FEE PAYMENT

5. Charge Account No. 501668 the sum of \$0.00 (which includes the \$0.00 extension fee and the \$0.00 additional fee for claims).

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 501668.
 If any additional fee for claims is required, charge Account No. 501668.

May 18, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By

Mario Cloutier

Mario Cloutier
 Limited Recognition under 37 CFR §11.9(b)
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FR

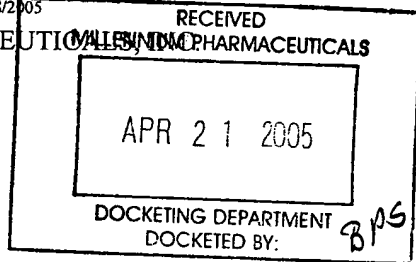


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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------------|---------------------|------------------|
| 10/075,987 | 02/13/2002 | Maria Alexandra Glucksmann | MPI98-047CP2DV2M | 9969 |

30405 7590 04/18/2005
MILLENNIUM PHARMACEUTICALS, INC.
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EXAMINER
BRANNOCK, MICHAEL T

ART UNIT PAPER NUMBER

1646

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY



Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4.04.05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH time limit** is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.


Legal Instruments Examiner (LIE)

Telephone No.